

TOWN OF IPSWICH
MASSACHUSETTS

BOARD OF SELECTMEN
Meeting of Monday, May 4, 2015
Ipswich Town Hall, 25 Green Street

Pursuant to the Open Meeting Law, M.G.L. Chapter 30A, §§ 18-25, written notice posted by the Town Clerk and delivered to all Board members, a meeting of the Board of Selectmen (BOS) was held on MONDAY, MAY 4, 2015 at 7 PM in Selectmen's Meeting Room A.

With a quorum present, Chairman. Surpitski called the meeting to order at 7:03 PM

Selectmen present: Judy Field; Charles Surpitski and Nishan Mootafian.

Also present: Robin Crosbie, Town Manager

Not present: Shirley Berry; William Craft, Chair

The open meeting was recorded, with permission, by Ipswich Access Community Media.

Public Information:

Agenda --Packet

Consent Agenda

Minutes – April 21, 2015

Employee Status

ANNOUNCEMENTS:

- May 12th is the annual Town Meeting, at the Performing Arts Center.
- The following Tuesday is the local town elections at the YMCA from 7AM-8PM.
- A new bill provides for the sheltering of pets during emergencies. Massachusetts now has instructed emergency management departments to plan to deal with these possible events.

Citizen's Queries

Kelly Jane Kloub Mitchell Road: Asked about the status of the key pad voting demo. Mr. Surpitski said that a citizen needed to step forward and be appointed to the committee. No one has taken a step forward. She wanted to know when the executive session minutes would be posted. Mr. Surpitski explained this is to the Chair who is absent from this meeting. She asked about the dollar amount total of the debt, Ms. Crosbie explained that she would have to look at it and does not have the amount off the top of her head. OPEB has dropped due to the changes in retirees health plan.

Phil Goguen Kingfisher Road: Asked who the actuary was for the OPEB. =He wanted to know how the meeting warrant was distributed. It was explained that it is on the town website and was in the Ipswich Chronicle. He asked about the audit committee meetings, where are the minutes for the audit committee reports. Mr. Surpitski explained that Mr. Craft chairs that committee and they don't know the status of the minutes but they can't provide an answer right now.

Kelly Jane Kloub Mitchell Road: Inquired about the Way Finding Signs, which signs will be voted on at town meeting and they cannot find information on town website about it. Ms. Crosbie said she would contact Glenn Gibbs about getting this information.

Announcement of Board and Committee Vacancies

Mr. Surpitski read the notice on the Board and Committee vacancies. These appointments will be made at the BOS meeting on June 4th. Mr. Surpitski read the available terms and number of vacancies. This list will be posted on the website.

Vote on Linebrook Road Option

Rick Clarke, DPW Director appeared before the Board. Mr. Clarke explained that they met with Mass DOT, they would like to pursue 11 foot travel lanes and 2 foot shoulders where they are available. Where telephone poles and wetland issues could have down to a foot shoulder. If they don't have 11 foot lanes we can lose chapter 90 money. This includes sidewalks on one side from Doyon School to School Street. Get rid of the sidewalks just past Bull Brook and letting the existing sidewalks remain in the other area. Reducing the drainage to keep the project under the 3 million dollar mark. He believes that the schools can still be done this summer, the drainage and water repairs will be done next summer. And the paving will be completed in two years. Ms. Field wanted to know if any studies had been done on the drainage, she worries about the project going over budget due to the wetlands and the problems in the area. Mr. Clarke explained that we can replace the drainage in kind, but not expand upon it. The only potential problem area is the Bull Brook area. Mr. Clarke said that if we don't stick to the MA DOT standards we jeopardize receiving chapter 90 money from the state. Mr. Surpitski wanted to know if they advocated for shoulders, Mr. Clarke explained that you need a 5 foot shoulder for a bicycle lane, so we cannot call what we have a bicycle lane.

Heidi Paek, Chair of the Planning Board wanted to say that the planning Board concurs with this plan, due to meeting with the MA DOT. The Board concludes the 11 foot travel lane for vehicles is what we should stay with. This support also includes the Vice Chair of the Planning Board, Jay Stanbury. Mr. Surpitski has concerns about the narrowed shoulders and wanted to know where these would be located. His concerns that they would end up in the most dangerous parts of the road. Mr. Clarke explained he would have meetings on this, and would look into doing what he could in these areas. Mr. Surpitski also wondered about looking into adding trees to the side to give impression that the road is narrower to slow down the speeds.

Linda Alexson Juniper Street had a question about the cost of the water and drainage. If she recalls the water customers are paying \$600,000 for the water mains. Mr. Clarke said this is separate project and none of the 3 million was going to the Linebrook project.

Phil Goguen Kingfisher Road, had questions about how often the catch basin are cleaned. Mr. Clarke explained that this done once a year. Mr. Goguen also wanted to know why there was a price difference between Central Street and Linebrook Road. Mr. Surpitski explained the differences in the project.

Vote: Mr. Mootafian moved to accept the 13 foot lanes with the sidewalks from Doyon to School Street and repaving Doyon School parking lot, Ms. Field seconded. The motion passed unanimously.

PUBLIC HEARING – Amendments to the Shellfish Rules & Regulations (1 of 2)

Mr. Surpitski read the legal notice. Chief Nikas and Scott LaPreste, Shellfish Constable, appeared before the Board to discuss the rules and regulations. Chief Nikas read the changes to the Shellfish Rules and Regulations to the Board. Ms. Field wanted an example of an enhancement tasks. Mr. LaPreste said it is usually maintenance of the sea flat areas but can be a number of things, including picking up trash.

Phil Goguen Kingfisher Road: Had a question about the digging of sea clams, Chief Nikas said they cannot be commercialized in Ipswich to prevent dredgers from coming in. But the only thing that shuts down sea clamming for private clamming licenses is red tide.

Linda Alexson, Juniper Street, who is the chair of the Shellfish committee wanted to change the date from February 28th to March 1st to avoid confusion for Leap Years. This did not make the advertisement but she would still like it considered in the changes.

Vote: Mr. Mootafian moved to continue the public hearing until May 18th and Ms. Field seconded. The motion passed unanimously.

PUBLIC HEARING –Amendment to the Harbormaster Rules and Regulations (1 of 2)

Mr. Surpitski read the legal notice. Chief Nikas appeared before the Board, he is requesting changes to Harbormaster Rules and regulations. Chief Nikas went over the changes.

Mr. Surpitski had questions about the dingy, how is it legal for the town to charge people to leave their dingy on private property. Chief Nikas said if it's in the water it needs to be permitted. Mr. Surpitski wanted to know how many moorings they planned to put up this year for overnight access. Chief Nikas said they don't anticipate making money the first year, and plan to start with only two mooring spots for this. Mr. Surpitski wanted to know about the parking permits at pavilion beach will be handled. Chief Nikas said this is still being worked on, they think people will have to come down to the station to complete this process.

Linda Alexson, Juniper Street: If we have extra space for extra moorings, since we have a long wait list shouldn't the people on the waiting list have priority. Chief Nikas explained that a lot of people had been requesting transient moorings, and these will be placed in deep water so this wouldn't work for a lot of average boats. Ms. Alexson also wanted to know where the money would be coming from. Chief Nikas explained that this was in the operating budget and already approved. And that the town is not liable if the boat goes loose and causes damage. Ms. Alexson wanted the dock fees explained, and it was explained that we only have two in the area, and had not charged for this in the past. These are not landlocked docks.

Vote: Mr. Mootafian moved to continue the public hearing until May 18th and Ms. Field seconded. The motion passed unanimously.

PUBLIC HEARING—Application for Commemorative Sculpture to be Placed on North Green

Mr. Surpitski read the legal notice. Glenn Gibbs, Director of the Planning and Development for Ipswich appeared before the Board. Mr. Gibbs explained that several members of the committee were in the audience as well, including the donor, Rick Silverman. Mr. Gibbs explained the project to the Board and discussed the guidelines that had been decided upon at length. The committee has conditions it asks the Board to take into account if they approve this sculpture. These conditions require that Mr. Silverman send a letter indicating he accepts the changes and the proposals, which he has done. Mr. Gibbs explained that a couple letters came in today, and he wanted to discuss these. It was mentioned in the report sent to homeowners, there was a concern that it might be possible for children or others to climb the sculpture and either damaging it or injuring themselves.

John Fiske, 12 Water Street: Wanted to say that the Historical Commission is now on Board with this project. That at first that they were not accepting of a memorial for a private individual. The plan was changed and making it a commemoration of artists of Ipswich. This change brought the sculpture into the historical precedence of public use.

Ann Page Masconomet Road: Says this is a beautiful sculpture. She has concerns that this was not brought up to many committees and did not have input of other stakeholders in this memorial. The connection between Ipswich and the arts runs deep. If we as a community chose to undertake a commemoration of our artist it should be inclusive and not one man's vision.

Lee Hathaway 6 Meeting House Green: Commend the town on the thoughtful process of putting together a committee to review the artwork that was presented. A lot of the arguments have been thoughtful and wanted to acknowledge that. She said we have a long history of supporting the arts in this country and town.

Christina Brendal 403 Linebrook: She did not feel this statue was a commemoration of death but of light, VIDEO. When we are representing the arts, it needs to be created by an artist. It has to be an inspired piece. As far as the location, this is a busy part of town, which is why they want to place it there. We have an opportunity with this piece to set a standard for public art. She hopes that Ipswich will support this gift to promote the arts in town.

Stephanie Gaskins 136 County Road: Curator at the Ipswich Museum. She wanted to say that this is a wonderful project, but she thought they should choose a different location. Out of all the inspiring places in Ipswich, it is not downtown.

Ruth Strand 35 Summer Street: Wanted to discuss the sculpture location, she brought photo shopped pictures to try to show the scale. She feels that we really need to look at how this fits into the landscape of the area. She feels that a different location would be better.

Jim Clark 16 Appleton Park: Wanted to speak in favor of the piece, its location and the project as a whole. The image of the sculpture struck him as perfect. He feels it's in the right place because it is in the center of town, and will be visible to every citizen in the town.

Al Boynton 41 High Street: Believes this should not be placed in this district, mainly because of the historic value of the area. The entire South Meeting area is composed entirely of houses built in the 1700 and 1800's. He does not feel this sculpture should be placed by the War Memorial. He likes the art piece, just not the location. He worries about setting a precedence in this location, especially in the Architecture Preservation District.

Marion Frost 95 High Street: Speaks as a resident of the Town, has been a resident of this town for almost 50 years, and she is also an artist. The North Green is a special place, and she does approve of the sculpture being placed in this location. She was surprised that this location would be considered at all.

126 County St: Worries about residents not being aware of these things going on in the area. He is an appreciator of the arts, and is very concerned about public art. He is terribly upset about the way this has been carried out, and would like the Board to table this for a while to make sure the whole town is aware of what is going on and have a say on the project.

Mr. Gibbs wanted to make it clear this proposal has been around for over a year and the BOS had adopted policy because of this proposal in the past. The library was notified in November, Mr. Gibbs had conversation with Mr. Dyer and Mr. Grey on this very issue. Mr. Gibbs would like reiterate that Mr. Silverman is not building a memorial to his wife, he was inspired by his wife but this is not a memorial to her. Mr. Gibbs said the committee would look into other locations, but he is not sure they would find a better location.

Mr. Surpitski wanted to know if Mr. Silverman would consider other locations. Mr. Silverman said he would be not be comfortable moving the location. He worked through the committees as required. Mr. Surpitski said he agreed with that, the process was in depth and comprehensive.

Ms. Field said she has some issues with location, she would like to visit the site to get the impression of the area But she has a problem with it being placed near a war memorial.

Mr. Mootafian is also not comfortable with the location, he would be open to hearing other spots. On South Green, by the museum etc.

Mr. Surpitski appreciates the viewpoint that we should speak with the veterans, felt they should weigh in. If its property placed it would enhance the community and enhance the green. Just would like to feel clearer on where it's going to be placed.

Vote: Mr. Mootafian moved to continue the public hearing and Ms. Field seconded. The motion passed unanimously.

Discussion: APD Proposed Article

Glenn Gibbs appeared before the Board to discuss the minor changes to the proposed Article on the APD. He said one was to correct a typo in the original warrant. The other change, is to add the word "administrative" to the second line under 3. In front of "enforcement action authorized by law". This was suggested because the FINCOM wanted to distinguish judicial enforcement action and administrative action done by the town. Mr. Surpitski wanted to know why two agencies were enforcing the bylaw. Mr. Gibbs said it is set up this way to be complimentary. Mr. Surpitski said the bylaw is supposed to be helpful to folks, by providing guidelines. Mr. Gibbs confirmed this is the case, what is being discussed in these changes is for demolition or extensive renovations. This is for people who refuse to listen to enforcement orders, then court action would need to be initiated. Ms. Crosbie wanted to know if there would be some provision in this article about the potential changes to the Inn/Bed and Breakfast. Mr. Gibbs said this bylaw would not inhibit this. Mr. Mootafian wanted to know if there were any cases in other towns that the building inspector might disagree with the APCD so no decision is made. Mr. Gibbs

said he has not seen any information on this. Mr. Surpitski still had problems with the dual enforcement agencies. Mr. Gibbs said he would look into this and speak with others about it.

Vote: Mr. Mootafian moved to approve, Ms. Field seconded and it was unanimous to do so.

Review for Town Meeting

- a) Motions
- b) Speaking Assignments
- c) Planning Board Recommendations
- d) Misc. Items

Mr. Mootafian wanted to discuss changing the order of the speakers so that it wouldn't be the same person talking for long periods of time. Ms. Crosbie explained that she did it this way to avoid too many people getting to the stage at one time. Mr. Surpitski agreed with Mr. Mootafian that a little variety would be helpful. Ms. Crosbie just wanted to know if anyone had a preference for certain articles. Mr. Surpitski requested the Green Grab article. The Capital Plan will not be funding the new harbor master truck, we do not have enough in the fund right now to support this. This may be back on the agenda for the fall meeting. Town Hall exterior painting is down for \$60,000, it has been looked at by contractors, and they both said it would cost about \$42,000 but asked for \$47,000 in case of problems. Articles 18 and 19 would be combined into one motion as requested by the town moderator.

Consent Agenda

- a) Lifetime Shellfish Permit(s)
- b) One Day Liquor License(s)
- c) Antiques License
- d) Sidewalk/Street Blocking License(s)
- e) Late request for an over 60 shellfish permit, for Robert T. Ramiero.

Vote: Mr. Mootafian moved to approve the consent agenda and Ms. Field seconded. The motion passed unanimously.

Approval of Minutes: April 21, 2015

Mr. Mootafian moved to accept the minutes from April 21st, Ms. Fields seconded. The motion passed unanimously.

Old Business

None

New Business

Ms. Crosbie wanted to go over the new hires for the Town of Ipswich. Jim Sperber, the Building Inspector and Code Enforcer will be retiring on June 5th.

May 9th is the Spring Cleanup and May 16th is the Choate Bridge Ceremony.

Adjournment

Vote: Mr. Mootafian moved to adjourn at 10:22, Ms. Field seconded and it was unanimous to do so.

Respectfully submitted by
Jennifer Dionne
5.11.15